

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT **JUL 02 2008**

FOR THE DISTRICT OF NEW MEXICO

TONI A. MEDAWIS,

Plaintiff,

vs.

Civ. No. 07-232 JP/RHS

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

**MATTHEW J. DYKMAN**  
**CLERK**

**ORDER**

THIS MATTER comes before the Court on the Proposed Findings and Recommended Disposition of the United States Magistrate Judge, filed June 3, 2008 [**Doc. No. 21**]. No objections to the PFRD have been filed. Having reviewed the same, the Court will adopt the PFRD, grant Plaintiff's Motion to Reverse or Remand Administrative Agency Decision [**Doc. No. 15**] and remand this matter for further proceedings.

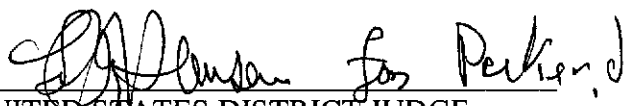
WHEREFORE,

IT IS ORDERED that the Proposed Findings and Recommended Disposition of the United States Magistrate Judge [**Doc. No. 21**] are adopted by the Court.

IT IS FURTHER ORDERED that Plaintiff's Motion to Reverse or Remand Administrative Agency Decision [**Doc. No. 15**] is **granted** and this matter is remanded to the Commissioner for further proceedings, to include:

- (1) an evaluation of the additional evidence considered by the Appeals Council, including the consultative examination report of Charles D. Mellon, M.D.,
- (2) a re-assessment of Plaintiff's impairments at step two, and

- (3) additional proceedings in light of any new findings, as necessary.

  
UNITED STATES DISTRICT JUDGE